

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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LOUIS MITCHELL and BETTY	)	
FOSTER, as parents and next	)	
friends of DANIEL MITCHELL,	)	
deceased,	)	
Plaintiffs,	)	
	)	
v.	)	No. 05-2221 Ma/V
	)	
MARKUS MCNEIL,	)	
et al.,	)	
	)	
Defendants.	)	

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ORDER CORRECTING THE COURT'S MARCH 30, 2006 ORDER

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On March 30, 2006, the court dismissed the plaintiffs' claims under 42 U.S.C. § 1983, 42 U.S.C. § 1985, and the Tennessee Human Rights Act (the "March 30, 2006 Order"). The court also declined to exercise jurisdiction over the Tennessee Governmental Tort Liability Act ("TGTLA") claims, citing the Tennessee legislature's express preference for state courts, and dismissed the plaintiffs' TGTLA claims instead of remanding the claims to state court. (March 30, 2006 Order at 13.)

Section IV-F of the March 30, 2006 Order is corrected to DENY the City's motion to dismiss the plaintiffs' TGTLA claims and remand the TGTLA claims to state court.

Section V is corrected to DENY Bolden's motion to dismiss the plaintiffs' TGTLA claims and remand the TGTLA claims to state court.

Section VI is corrected to DENY Todd's motion to dismiss the plaintiffs' TGTLA claims and remand the TGTLA claims to state court.

Therefore, the plaintiffs' TGTLA claims are to be remanded to the Circuit Court of Tennessee for the Thirtieth Judicial District for adjudication. The March 30, 2006 Order is affirmed in all other respects.

So ORDERED this 28th day of April 2006,

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s/ SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE